

Attorney's Docket No. 740105-78

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
Gerd M. MÜLLER et al. )  
Application No.: 09/938,533 ) Group Art Unit: 3736  
Filed: August 27, 2001 ) Examiner: J.M. Foreman  
For: AT LEAST PARTIALLY IMPLANTABLE )  
HEARING SYSTEM )  
H.J.P.  
3-3-3

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office: Fax No. (703) 872-  
9302 on February 26, 2003.  
K.M. McManus  
K.M. McManus

ELECTION

Commissioner for Patents  
Washington, D.C. 20231

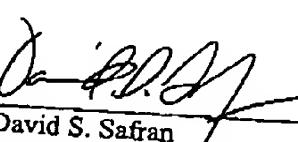
Sir:

In response to the election requirement in the Office Action mailed January 29, 2003, applicants hereby elect Specie I, the embodiment shown in Fig. 4 for examination in the event that no generic claim is found to be allowable. In addition to claim 1, which is considered to be generic by the Examiner, claims 3, 4 & 21 is also believed to be generic to all of the species. Furthermore, claims 2, 5-7, 10, 11, and 19 are considered to be readable on at least the elected embodiment.

In view of the foregoing, a prompt action on the merits of the elected embodiment is requested along with rejoinder of the none elected claims should one of the generic claims be found to be allowable.

Respectfully submitted,

Dated: February 26, 2003

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